

Remarks

This Amendment is being filed concurrently with a Request for Continued Examination ("RCE"). Reconsideration and allowance of this application, as amended, are respectfully requested.

Claims 1 and 15 have been amended. Claims 3 and 14 have been canceled without prejudice or disclaimer. Claims 1, 5, 7, 8, 10-13, 15, and 16 are now pending in the application. Claims 1 and 15 are independent. The rejections are respectfully submitted to be obviated in view of the amendments and remarks presented herein. No new matter has been introduced through the foregoing amendments.

To advance prosecution, claim 1 has been amended to incorporate features of the invention previously presented in now-canceled claims 3 and 14. Instant claim 1 defines an embodiment of the device that includes "a force-introducing element provided on the bracket of the side wall of the luggage stowage compartment, the force-introducing element being a bushing or a lug." See the disclosure at specification page 6, second full paragraph. Claim 15 has been amended in a parallel manner.

Entry of each of the amendments is respectfully requested.

35 U.S.C. § 103(a) - Bargull, Mikalonis, and Bossert

Claims 1, 3, 5, 7, 10, and 12-15 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,839,694 to Bargull et al. (hereinafter "Bargull") in view of U.S.

Patent No. 5,441,326 to Mikalonis and U.S. Patent No. 5,282,556 to Bossert.

The rejection of claims 1, 3, 5, 7, 10, and 12-15 under § 103(a) is respectfully deemed to be obviated. For at least the following reasons, the combined disclosures of Bargull, Mikalonis, and Bossert would not have rendered obvious Applicants' presently claimed invention.

The combined disclosures of Bargull, Mikalonis, and Bossert would not have rendered obvious Applicants' claimed invention because the combination does not disclose each feature of the device as presently claimed. Applicants' invention is a device for introducing forces into a luggage stowage compartment in a vehicle and for distributing the forces. As indicated above, instant claim 1 defines an embodiment of the device that includes "a force-introducing element provided on the bracket of the side wall of the luggage stowage compartment, the force-introducing element being a bushing or a lug."

Bargull is directed to a luggage compartment system for a passenger aircraft with a bin 2 having side walls 14 and a linkage system to moveably connect the bin 2 to a support structure 4. Bargull's linkage system has, altogether, four links or bars, the third bar 16, 16A being constructed as an elbow-shaped bracket having a first leg 16' rigidly secured, for example by screws S, to a top wall 13 of the bin 2 and a second leg 16" extending upwardly,

preferably as an extension of the bin 2 (Bargull column 4, lines 26-31).

However, Bargull's bar 16, 16A consisting of legs 16', 16" is certainly different, both structurally and functionally, from the extensions 7 of the side walls according to the presently claimed invention.

With respect to structure, Bargull's legs 16', 16" are not formed as an extension of the side wall 14 (i.e., per the presently claimed invention), but instead constitute independent pieces fixed to the bin 2 by screws or the like in an offset manner, as is clearly evident from Bargull's drawing figures. For example, Bargull's Figure 4 shows that the upwardly projecting leg 16" does not lie in layer E2 of side wall 14, but is instead offset to provide space for screw S. Applicants have emphasized in the instant specification that screws or rivets increase the weight of stowage compartments and are complex to handle (see, e.g., specification page 1, paragraph 3). Thus, Applicants' claimed invention clearly provides an advantage over the technique shown in Bargull, as no such screws are associated with the instant invention.

With respect to function, bar 16, 16A serves a different purpose as compared to the extensions 7 of the side walls formed by upwardly projecting brackets 11 according to the present invention. Bargull's bar 16, 16A is pivotably connected to a bar 5, 5A which itself is connected to the support structure 4. Thus, bar 16, 16A

is a first leg (bar 5, 5a being the other leg) of a pivotable connection to the support 4.

However, according to the present invention, the introduction of force is advantageously effected directly into the upwardly projecting brackets 11 of the side walls, without having further connecting legs or the like, which increase the overall weight of the stowage compartment.

The presently claimed invention is further distinguished from Bargull by the feature of a *ceiling-side* connection element or ledge. Bargull discloses cross-bars 19 connected to the top wall 13 of the bin 2. However, Bargull's bin 2 is spaced apart from the ceiling through the suspension linkage system. Furthermore, Bargull is completely silent with regard to the function of these cross-bars 19, and most certainly does not disclose that the cross-bars are arranged to distribute the forces in the way associated with the present invention.

Neither Mikalonis nor Bossert rectifies the above-described deficiencies of Bargull. Mikalonis merely teaches that for lighting fixtures known in the prior art, elongated panel members are formed by pultrusion from resin and glass fiber. The use of fiber-reinforced synthetic material has indeed been contemplated for many different parts of aircraft or the like, the elongated panel members according to Mikalonis being one example thereof. However, it would be a mere hindsight interpretation to conclude that the teachings of Mikalonis suggest the use of

Applicants' claimed "fiber-reinforced synthetic material" for the ledge element, which involves specific requirements, that is, transmitting and/or distributing forces.

Similarly, Bossert simply teaches the use of glue to join together walls of vehicle containers. However, Applicants' claimed feature of fastening the ledge to the stowage compartment by an adhesive would not be rendered obvious by Bossert's teaching alone. That is because reducing the weight of the stowage compartment is not an object of the primary reference Burgall, where clearly screws, rivets or the like are favored.

And, as presently claimed, the device includes "a force-introducing element provided on the bracket of the side wall of the luggage stowage compartment, the force-introducing element being a bushing or a lug." Such a force-introducing element is not provided in known stowage compartments. Bargull merely discloses the use of a piston cylinder device 16C, which is entirely different from Applicants' low weight bushing or lug.

Therefore, the asserted Bargull/Mikalonis/Bossert combination does not meet each of the features of Applicants' presently claimed invention.

Furthermore, there is no teaching in any of the asserted references that would have led one to select the references and combine them in a way that would produce the invention defined by any of Applicants' pending claims. Burgall fails to teach reducing the weight of the disclosed luggage compartment. A reduction of

weight is achieved with the present invention by obviating the need for screws or other fasteners, and by providing a fiber-reinforced synthetic material construction.

Accordingly, the combined disclosures of Bargull, Mikalonis, and Bossert would not have rendered obvious the embodiment of the invention defined by instant claim 1. Claims 5, 7, 8, and 10-13 are allowable because they depend from claim 1, and for the subject matter recited therein.

Instant claim 15 also defines an embodiment of the device that includes "a force-introducing element provided on the bracket of the side wall of the luggage stowage compartment, the force-introducing element being a bushing or a lug." Claim 15 is therefore also allowable over the Bargull/Mikalonis/Bossert combination. Claim 16 is allowable because it depends from claim 15, and for the subject matter recited therein.

The rejection of claims 11 and 16 under 35 U.S.C. § 103(a) as being unpatentable over Bargull in view of Mikalonis and Bossert, and further in view of U.S. Patent No. 5,817,409 to Stephan et al. ("Stephan") is also respectfully deemed to be obviated. Regardless of what Stephan may teach with regard to materials of construction, that disclosure alone fails to rectify any of the above-described deficiencies of the Bargull/Mikalonis/Bossert combination.

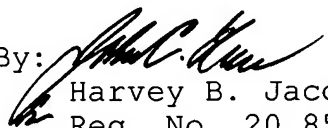
In view of the foregoing, this application is now in condition for allowance. If the examiner believes that an

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interview might expedite prosecution, the examiner is invited to
contact the undersigned.

Respectfully submitted,

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